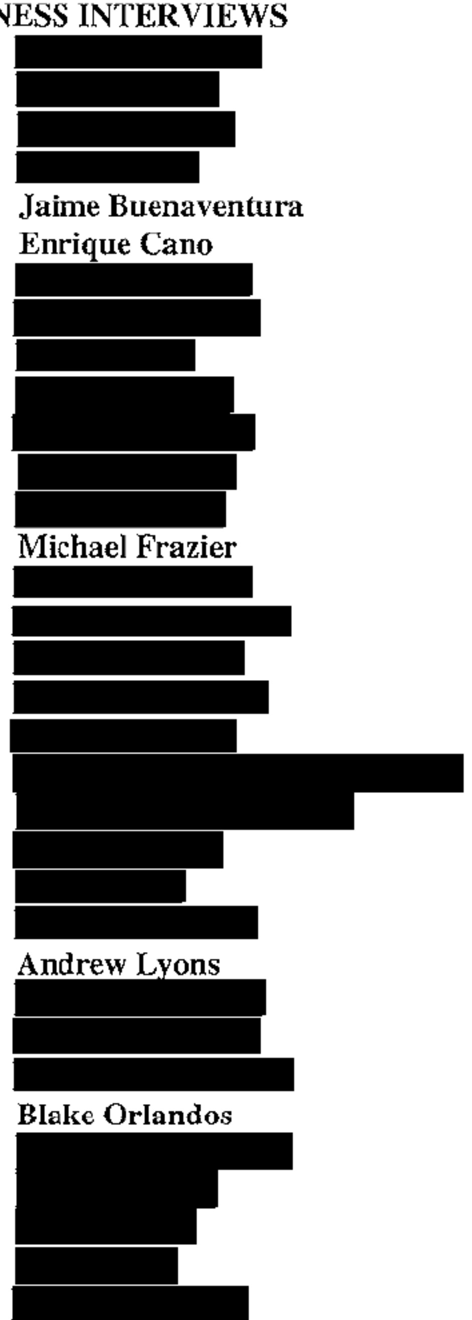
Table of Contents

IAB # FO2227870

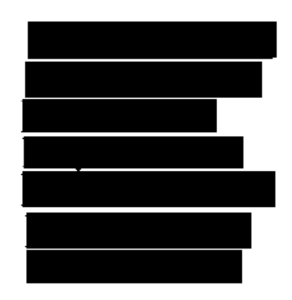
USE OF FORCE REPORT AND INVESTIGATIVE SUMMARY

VOLUME 1

WITNESS INTERVIEWS



VOLUME 2


[redacted]

INMATES INTERVIEWS

NONE - REFER TO CASE SUMMARY.

EXHIBITS

A - Inmate Injury Reports

B - Deputy Use of Force Reports regarding Inmates Khryan, Rangel, Madrigal and Trinidad .

C - Deputy Use of Force Reports regarding Inmates Burns and Espinosa.

D - Deputy Use of Force Reports regarding Inmates Davtyan, Garcia, Nunez, Rodriguez (127), and Sanchez.

E - Cell extraction list.

F - Deputy Use of Force Reports regarding Inmates Ayala, Gonzalez, and Singleton.

G - Deputy Use of Force Reports regarding Inmates Enciso, Flores, Rodriguez (982), Reyes, and Acosta.

H - Deputy Use of Force Reports regarding Inmate Delgado.

I - Supervisor's Report on Use of Force form completed by MCJ. regarding Inmate Fajardo. Including Incident Report completed by Deputy [redacted] and Supplemental Report completed by Deputy [redacted] under file #008-01067-5100-057.

J - Incident and Supplemental Reports on Inmates Espinoza and Gonzalez, under file number 008-01074-5100-057.

K - Employee injury reports on Deputies [redacted] and [redacted]

L - In-Service Sheet.

M - Module/cell diagrams.

VOLUME 3

N - Three DVD's of the inmates cell extractions by MCJ deputies..

O - Two DVD's of the inmate's post interviews.

P - Photographs of cell damage.

Q - DVD disc's of inmates cell extraction by TTCF deputies.

R - DVD disc from a taser camera..

S - 3100/3300 modules extractions time line.

T - 3100/3300 modules row tank sheet.

U - Inmates criminal histories.

MISCELLANEOUS DOCUMENTS

761551N25A - SH-AD-32A (2/72)



COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

A Tradition of Service

DATE: September 1, 2009

OFFICE CORRESPONDENCE

FILE NO. FO2227870

FROM: ERIC B. SMITH, COMMANDER
LEADERSHIP & TRAINING DIVISION

TO: DANIEL S. CRUZ, CAPTAIN
MEN'S CENTRAL JAIL

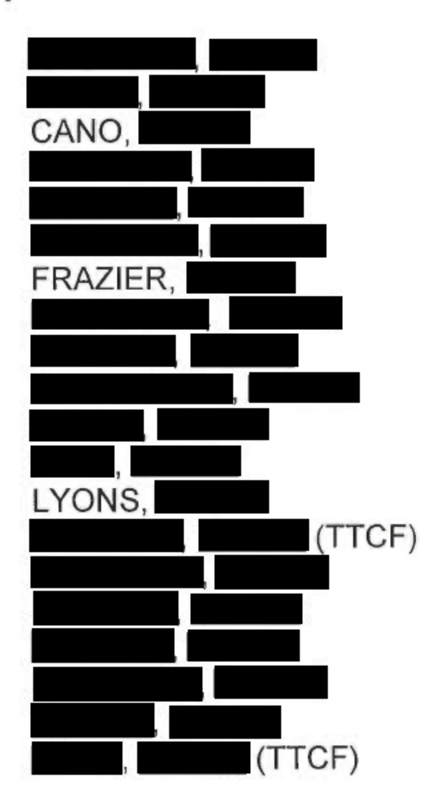
SUBJECT: **EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS AND RECOMMENDATIONS USE OF FORCE (CELL EXTRACTIONS)**

The purpose of this memo is to notify you of the review committee's findings and recommendations concerning the use of force incident which occurred on August 25, 2008.

The Committee met on August 6, 2009, and consisted of me, Commander Stephen B. Johnson, Custody Operations Division, and Commander Jack Jordan, Detective Division. The Committee determined the use of force by the following personnel was within Department policy:



[redacted]
[redacted] (TTCF)
[redacted]
ORLANDOS, [redacted]
[redacted]



[redacted]
CANO, [redacted]
[redacted]
FRAZIER, [redacted]
[redacted]
LYONS, [redacted]
[redacted] (TTCF)
[redacted]
[redacted] (TTCF)


[redacted], [redacted]
[redacted], [redacted] (TTCF)
[redacted], [redacted]
[redacted], [redacted]
[redacted], [redacted]
[redacted], [redacted]
[redacted], [redacted]
[redacted], [redacted] (TTCF)

Please advise the deputies of this finding.

EBS:YLW/ylw

1761551N25A - SH-AD-32A (OAS 6/97)

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

"A Tradition Of Service"

DATE: September 1, 2009
FILE NO. FO2227870

OFFICE CORRESPONDENCE

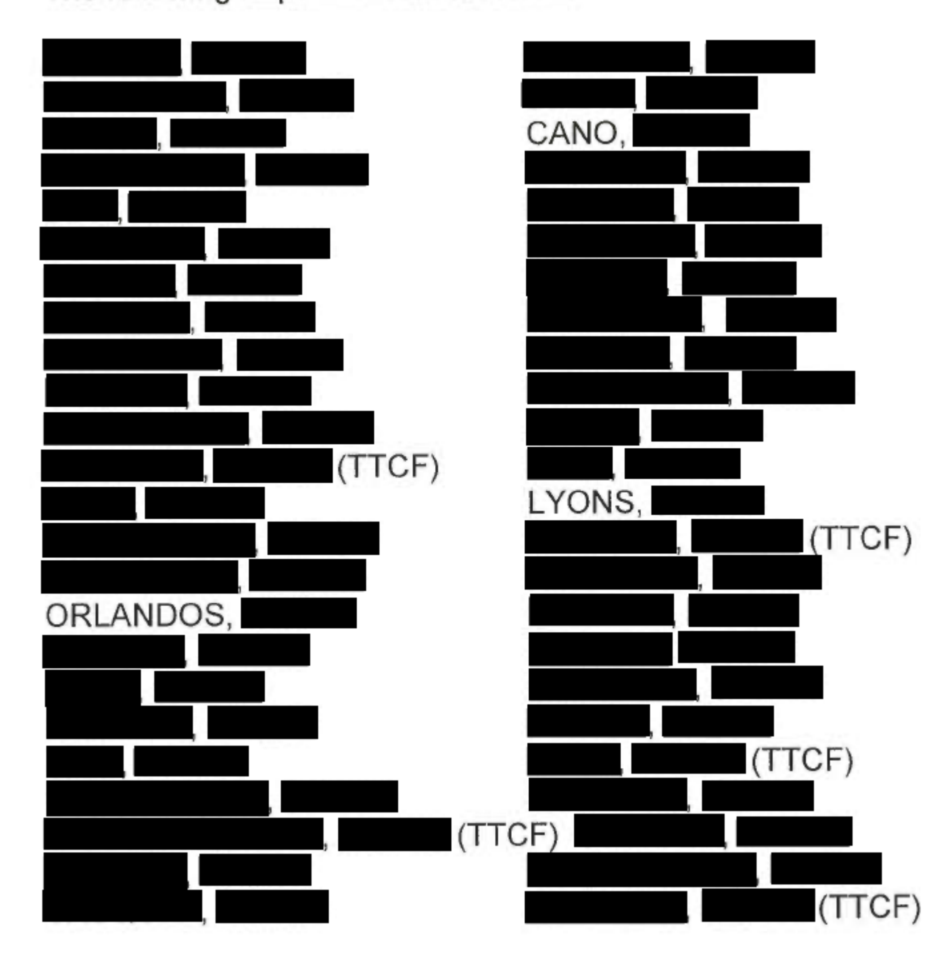
FROM: ERIC B. SMITH, COMMANDER
LEADERSHIP AND TRAINING DIVISION

TO: KARYN MANNIS, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: EXECUTIVE FORCE REVIEW COMMITTEE DISPOSITION

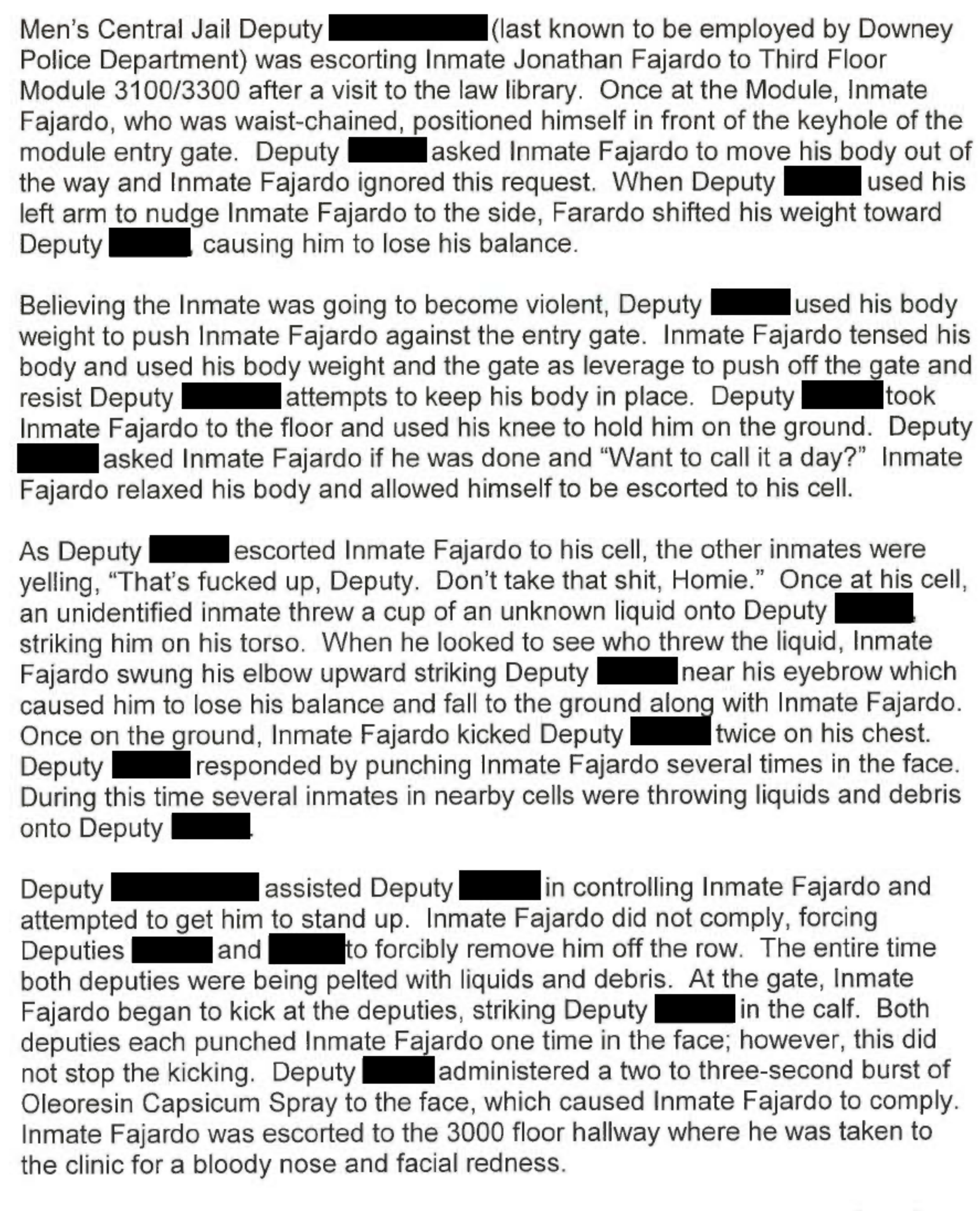
On August 25, 2008, at about 1225 hours, 21 inmates refused to exit their cells. Men's Central Jail and Twin Towers Correctional Facility Emergency Response Teams (ERT) extracted them from the riotous situation. All of these inmates were medically treated at Los Angeles County University Southern California Medical Center (LCMC).

The following deputies were involved:



[redacted], [redacted]
[redacted], [redacted]
[redacted], [redacted]
[redacted], [redacted]
[redacted], [redacted]
[redacted], [redacted]
[redacted], [redacted]
[redacted], [redacted]
[redacted], [redacted]
[redacted], [redacted]
[redacted], [redacted]
[redacted], [redacted] (TTCF)
[redacted], [redacted]
[redacted], [redacted]
[redacted], [redacted]
ORLANDOS, [redacted]
[redacted], [redacted]
[redacted], [redacted]
[redacted], [redacted]
[redacted], [redacted]
[redacted], [redacted]
[redacted], [redacted] (TTCF)
[redacted], [redacted]
[redacted], [redacted]

[redacted], [redacted]
[redacted], [redacted]
CANO, [redacted]
[redacted], [redacted]
[redacted], [redacted]
[redacted], [redacted]
[redacted], [redacted]
[redacted], [redacted]
[redacted], [redacted]
[redacted], [redacted]
[redacted], [redacted]
[redacted], [redacted]
LYONS, [redacted]
[redacted], [redacted] (TTCF)
[redacted], [redacted]
[redacted], [redacted]
[redacted], [redacted]
[redacted], [redacted]
[redacted], [redacted]
[redacted], [redacted] (TTCF)
[redacted], [redacted]
[redacted], [redacted]
[redacted], [redacted]
[redacted], [redacted] (TTCF)



Men's Central Jail Deputy [redacted] (last known to be employed by Downey Police Department) was escorting Inmate Jonathan Fajardo to Third Floor Module 3100/3300 after a visit to the law library. Once at the Module, Inmate Fajardo, who was waist-chained, positioned himself in front of the keyhole of the module entry gate. Deputy [redacted] asked Inmate Fajardo to move his body out of the way and Inmate Fajardo ignored this request. When Deputy [redacted] used his left arm to nudge Inmate Fajardo to the side, Farardo shifted his weight toward Deputy [redacted], causing him to lose his balance.

Believing the Inmate was going to become violent, Deputy [redacted] used his body weight to push Inmate Fajardo against the entry gate. Inmate Fajardo tensed his body and used his body weight and the gate as leverage to push off the gate and resist Deputy [redacted] attempts to keep his body in place. Deputy [redacted] took Inmate Fajardo to the floor and used his knee to hold him on the ground. Deputy [redacted] asked Inmate Fajardo if he was done and "Want to call it a day?" Inmate Fajardo relaxed his body and allowed himself to be escorted to his cell.

As Deputy [redacted] escorted Inmate Fajardo to his cell, the other inmates were yelling, "That's fucked up, Deputy. Don't take that shit, Homie." Once at his cell, an unidentified inmate threw a cup of an unknown liquid onto Deputy [redacted], striking him on his torso. When he looked to see who threw the liquid, Inmate Fajardo swung his elbow upward striking Deputy [redacted] near his eyebrow which caused him to lose his balance and fall to the ground along with Inmate Fajardo. Once on the ground, Inmate Fajardo kicked Deputy [redacted] twice on his chest. Deputy [redacted] responded by punching Inmate Fajardo several times in the face. During this time several inmates in nearby cells were throwing liquids and debris onto Deputy [redacted].

Deputy [redacted] assisted Deputy [redacted] in controlling Inmate Fajardo and attempted to get him to stand up. Inmate Fajardo did not comply, forcing Deputies [redacted] and [redacted] to forcibly remove him off the row. The entire time both deputies were being pelted with liquids and debris. At the gate, Inmate Fajardo began to kick at the deputies, striking Deputy [redacted] in the calf. Both deputies each punched Inmate Fajardo one time in the face; however, this did not stop the kicking. Deputy [redacted] administered a two to three-second burst of Oleoresin Capsicum Spray to the face, which caused Inmate Fajardo to comply. Inmate Fajardo was escorted to the 3000 floor hallway where he was taken to the clinic for a bloody nose and facial redness.

After Inmate Fajardo was forcibly removed from the row, 20 inmates refused to exit their cells. A majority of the inmates in the module began flooding their cells and throwing debris toward deputy personnel. When the Floor Sergeant, Ernie Barbosa, assessed the situation, he immediately ordered a lockdown of the facility and Emergency Response Teams to respond.

Captain Daniel S. Cruz and Lieutenant Christopher Blasnek responded. They were struck in the face and chest with broken porcelain from the cell sinks. Once the Emergency Response Teams from both MCJ and TTCF arrived, cell extractions were ordered. Inmates were given the opportunity to willingly leave their cell prior to the extraction teams entering.

There were five extraction teams; each team was supervised by a sergeant. These five teams forcibly removed 20 inmates from their cells:

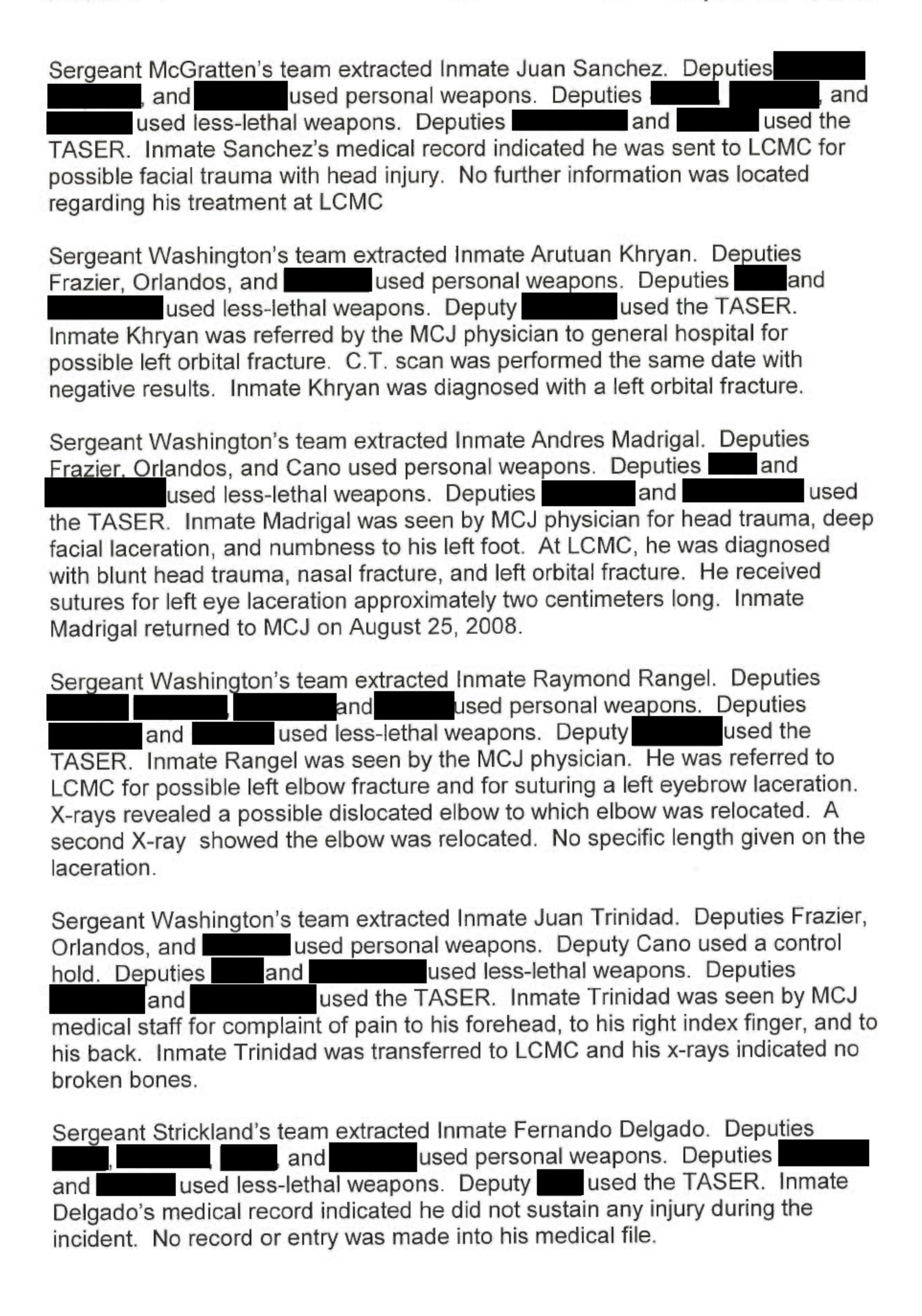
- MCJ Day Shift Red Team-Sergeant McGratten; extracted five inmates,
- MCJ Day Shift Green Team-Sergeant Washington; extracted four inmates,
- TTCF PM Shift Black Team-Sergeant Strickland; extracted one inmate,
- MCJ PM Red Team-Sergeant Ohnemus; extracted five inmates,
- MCJ PM Green Team- Sergeant Cale; extracted five inmates.

Sergeant McGratten's team extracted Inmate Armen Davtyan. Deputies [redacted], [redacted], and [redacted] used personal weapons. Deputies [redacted], [redacted], and [redacted] used less-lethal weapons. Deputies [redacted], [redacted], and [redacted] used a TASER. Inmate Davtyan was seen by MCJ medical staff for multiple head contusions injuries. He was x-rayed with negative results; a deformity was found in his nasal area that was not related to the incident.

Sergeant McGratten's team extracted Inmate Johnny Garcia. Deputies [redacted] and [redacted] used personal weapons. Deputies [redacted] [redacted] and [redacted] used less-lethal weapons. Deputy [redacted] and [redacted] used the TASER. Inmate Garcia was seen by MCJ physician and was referred to LCMC for head and facial trauma. His head and facial area were x-rayed with negative results. They gave him some pain pills and advised him to return if necessary.

Sergeant McGratten's team extracted Inmate Erik Nunez. Deputies [redacted] [redacted] [redacted] and [redacted] used personal weapons. Deputies [redacted] and [redacted] used less-lethal weapons. Deputy [redacted] used the TASER. Inmate Nunez had no medical record. Per inmate injury report, MCJ medical staff treated the inmate for blunt force trauma to right side of his head, contusion to the left lower lip, a two inch laceration to right eyebrow, and a superficial laceration to left ankle, half inch round.

Sergeant McGratten's team extracted Inmate Heriberto Rodriguez. Deputies [redacted], [redacted], [redacted] and [redacted] used personal weapons. Deputies Nowotny and [redacted] used less-lethal weapons. Deputy [redacted] used a TASER. Inmate Heriberto Rodriguez was transferred to LCMC on August 25, 2008, due to facial and head abrasion with laceration to the left side of the head and he had some contusion on the right eye. There were no fractures and he refused medical treatment.



Sergeant McGratten's team extracted Inmate Juan Sanchez. Deputies [redacted] [redacted], and [redacted] used personal weapons. Deputies [redacted] [redacted], and [redacted] used less-lethal weapons. Deputies [redacted] and [redacted] used the TASER. Inmate Sanchez's medical record indicated he was sent to LCMC for possible facial trauma with head injury. No further information was located regarding his treatment at LCMC

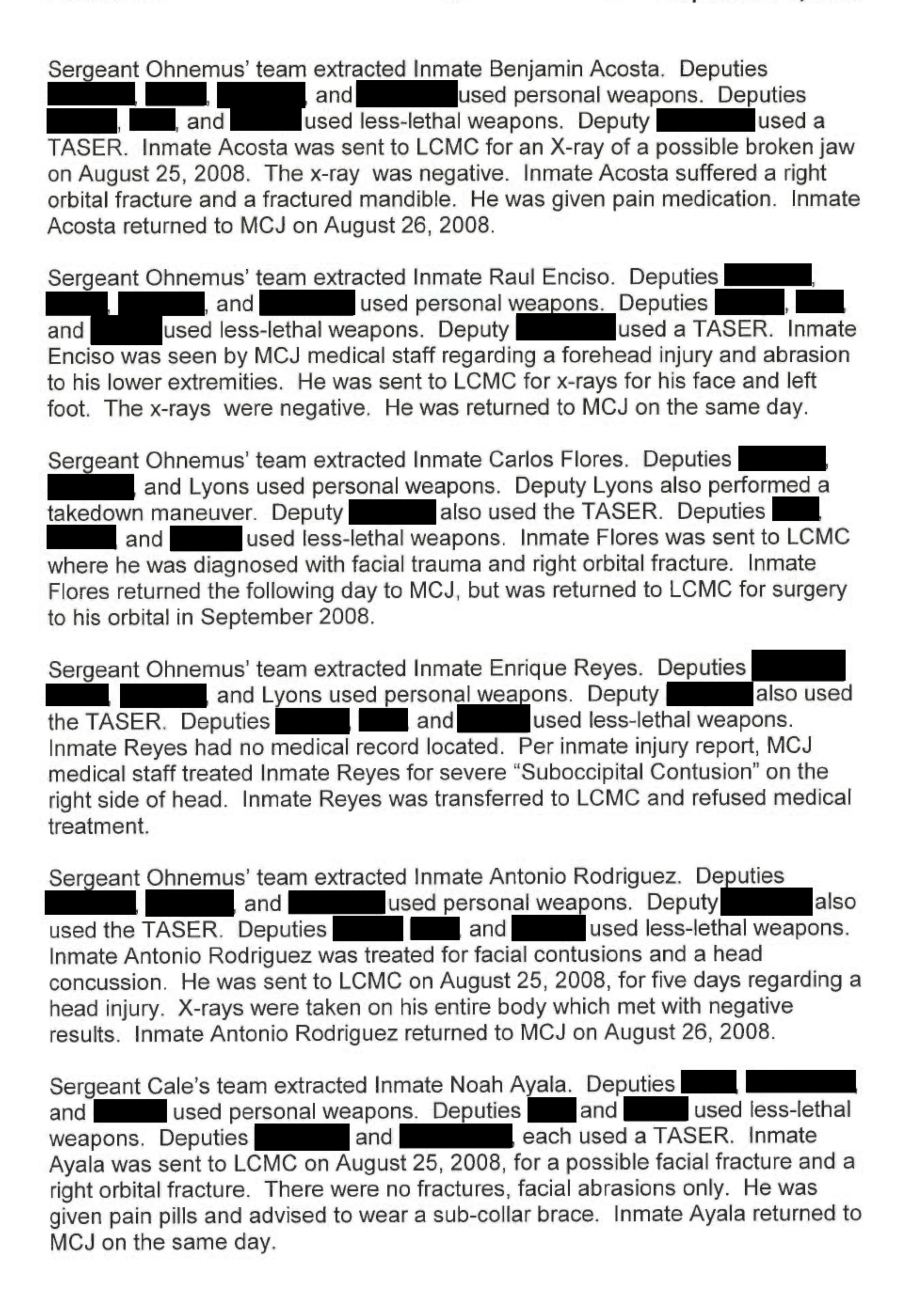
Sergeant Washington's team extracted Inmate Arutuan Khryan. Deputies Frazier, Orlandos, and [redacted] used personal weapons. Deputies [redacted] and [redacted] used less-lethal weapons. Deputy [redacted] used the TASER. Inmate Khryan was referred by the MCJ physician to general hospital for possible left orbital fracture. C.T. scan was performed the same date with negative results. Inmate Khryan was diagnosed with a left orbital fracture.

Sergeant Washington's team extracted Inmate Andres Madrigal. Deputies Frazier, Orlandos, and Cano used personal weapons. Deputies [redacted] and [redacted] used less-lethal weapons. Deputies [redacted] and [redacted] used the TASER. Inmate Madrigal was seen by MCJ physician for head trauma, deep facial laceration, and numbness to his left foot. At LCMC, he was diagnosed with blunt head trauma, nasal fracture, and left orbital fracture. He received sutures for left eye laceration approximately two centimeters long. Inmate Madrigal returned to MCJ on August 25, 2008.

Sergeant Washington's team extracted Inmate Raymond Rangel. Deputies [redacted] [redacted], [redacted] and [redacted] used personal weapons. Deputies [redacted] and [redacted] used less-lethal weapons. Deputy [redacted] used the TASER. Inmate Rangel was seen by the MCJ physician. He was referred to LCMC for possible left elbow fracture and for suturing a left eyebrow laceration. X-rays revealed a possible dislocated elbow to which elbow was relocated. A second X-ray showed the elbow was relocated. No specific length given on the laceration.

Sergeant Washington's team extracted Inmate Juan Trinidad. Deputies Frazier, Orlandos, and [redacted] used personal weapons. Deputy Cano used a control hold. Deputies [redacted] and [redacted] used less-lethal weapons. Deputies [redacted] and [redacted] used the TASER. Inmate Trinidad was seen by MCJ medical staff for complaint of pain to his forehead, to his right index finger, and to his back. Inmate Trinidad was transferred to LCMC and his x-rays indicated no broken bones.

Sergeant Strickland's team extracted Inmate Fernando Delgado. Deputies [redacted], [redacted], [redacted], and [redacted] used personal weapons. Deputies [redacted] and [redacted] used less-lethal weapons. Deputy [redacted] used the TASER. Inmate Delgado's medical record indicated he did not sustain any injury during the incident. No record or entry was made into his medical file.



Sergeant Ohnemus' team extracted Inmate Benjamin Acosta. Deputies [redacted], [redacted], [redacted], and [redacted] used personal weapons. Deputies [redacted], [redacted], and [redacted] used less-lethal weapons. Deputy [redacted] used a TASER. Inmate Acosta was sent to LCMC for an X-ray of a possible broken jaw on August 25, 2008. The x-ray was negative. Inmate Acosta suffered a right orbital fracture and a fractured mandible. He was given pain medication. Inmate Acosta returned to MCJ on August 26, 2008.

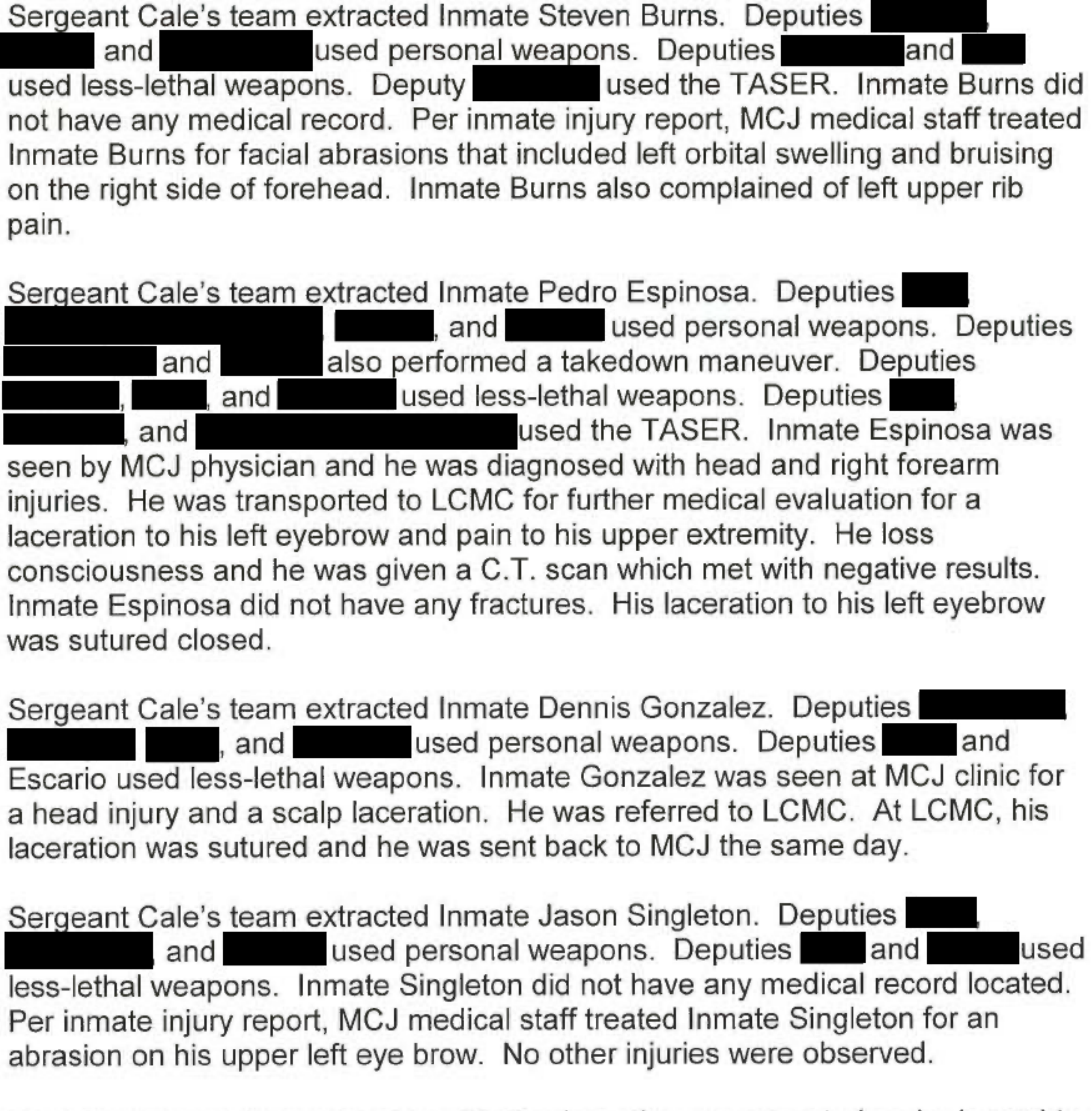
Sergeant Ohnemus' team extracted Inmate Raul Enciso. Deputies [redacted], [redacted], [redacted], and [redacted] used personal weapons. Deputies [redacted], [redacted], and [redacted] used less-lethal weapons. Deputy [redacted] used a TASER. Inmate Enciso was seen by MCJ medical staff regarding a forehead injury and abrasion to his lower extremities. He was sent to LCMC for x-rays for his face and left foot. The x-rays were negative. He was returned to MCJ on the same day.

Sergeant Ohnemus' team extracted Inmate Carlos Flores. Deputies [redacted], [redacted], and Lyons used personal weapons. Deputy Lyons also performed a takedown maneuver. Deputy [redacted] also used the TASER. Deputies [redacted], [redacted] and [redacted] used less-lethal weapons. Inmate Flores was sent to LCMC where he was diagnosed with facial trauma and right orbital fracture. Inmate Flores returned the following day to MCJ, but was returned to LCMC for surgery to his orbital in September 2008.

Sergeant Ohnemus' team extracted Inmate Enrique Reyes. Deputies [redacted], [redacted], [redacted], and Lyons used personal weapons. Deputy [redacted] also used the TASER. Deputies [redacted], [redacted] and [redacted] used less-lethal weapons. Inmate Reyes had no medical record located. Per inmate injury report, MCJ medical staff treated Inmate Reyes for severe "Suboccipital Contusion" on the right side of head. Inmate Reyes was transferred to LCMC and refused medical treatment.

Sergeant Ohnemus' team extracted Inmate Antonio Rodriguez. Deputies [redacted], [redacted], and [redacted] used personal weapons. Deputy [redacted] also used the TASER. Deputies [redacted], [redacted], and [redacted] used less-lethal weapons. Inmate Antonio Rodriguez was treated for facial contusions and a head concussion. He was sent to LCMC on August 25, 2008, for five days regarding a head injury. X-rays were taken on his entire body which met with negative results. Inmate Antonio Rodriguez returned to MCJ on August 26, 2008.

Sergeant Cale's team extracted Inmate Noah Ayala. Deputies [redacted], [redacted], and [redacted] used personal weapons. Deputies [redacted] and [redacted] used less-lethal weapons. Deputies [redacted] and [redacted], each used a TASER. Inmate Ayala was sent to LCMC on August 25, 2008, for a possible facial fracture and a right orbital fracture. There were no fractures, facial abrasions only. He was given pain pills and advised to wear a sub-collar brace. Inmate Ayala returned to MCJ on the same day.



Sergeant Cale's team extracted Inmate Steven Burns. Deputies [redacted], [redacted] and [redacted] used personal weapons. Deputies [redacted] and [redacted] used less-lethal weapons. Deputy [redacted] used the TASER. Inmate Burns did not have any medical record. Per inmate injury report, MCJ medical staff treated Inmate Burns for facial abrasions that included left orbital swelling and bruising on the right side of forehead. Inmate Burns also complained of left upper rib pain.

Sergeant Cale's team extracted Inmate Pedro Espinosa. Deputies [redacted], [redacted], [redacted], and [redacted] used personal weapons. Deputies [redacted] and [redacted] also performed a takedown maneuver. Deputies [redacted], [redacted], and [redacted] used less-lethal weapons. Deputies [redacted], [redacted], and [redacted] used the TASER. Inmate Espinosa was seen by MCJ physician and he was diagnosed with head and right forearm injuries. He was transported to LCMC for further medical evaluation for a laceration to his left eyebrow and pain to his upper extremity. He loss consciousness and he was given a C.T. scan which met with negative results. Inmate Espinosa did not have any fractures. His laceration to his left eyebrow was sutured closed.

Sergeant Cale's team extracted Inmate Dennis Gonzalez. Deputies [redacted], [redacted] [redacted], and [redacted] used personal weapons. Deputies [redacted] and Escario used less-lethal weapons. Inmate Gonzalez was seen at MCJ clinic for a head injury and a scalp laceration. He was referred to LCMC. At LCMC, his laceration was sutured and he was sent back to MCJ the same day.

Sergeant Cale's team extracted Inmate Jason Singleton. Deputies [redacted], [redacted], and [redacted] used personal weapons. Deputies [redacted] and [redacted] used less-lethal weapons. Inmate Singleton did not have any medical record located. Per inmate injury report, MCJ medical staff treated Inmate Singleton for an abrasion on his upper left eye brow. No other injuries were observed.

Each inmate was transported to LCMC, where they were treated and released to MCJ.

No TASER data information was recovered regarding this incident. There was a computer system failure that occurred on September 10, 2008. They were able to locate some video footage taken by the TASER video camera used in the incident, but the footage is poor. The TTCF training staff was unable to locate any TASER information regarding the incident.

On August 6, 2009, the Executive Force Review Committee convened and conducted a review regarding the facts of this case. The applicable policies that were evaluated by the committee were: MPP §§ 3-01/025.00, Use of Force; 3-01/025.30, Use of Firearms and Deadly Force; 3-01/025.10, Unreasonable Force; and 3-01/050.10, Performance to Standards.

Concerning:

MPP § 3-01/025.00, Use of Force, MPP § 3-01/025.30, Use of Firearms and Deadly Force, and MPP § 3-01/025.10, Unreasonable Force, the Committee determined that the force used by all personnel was reasonable and necessary and in compliance with Department policy.

MPP § 3-01/050.10, Performance to Standards, the Committee determined that the tactics employed by all personnel in this incident were within Department Policy.

Eric B. Smith, Commander

EBS:KM:YLW/ylw